



H.R.____: THE BICYCLE COMMUTER ACT OF 2023

The bicycle is the most efficient form of urban transportation ever devised. Cycling reduces carbon emissions, provides enormous physical and mental health benefits, and is one of the most cost-effective modes of transportation available. Communities across the country have realized these benefits and substantially invested in building better bike networks and improving facilities for biking to work. While rates of biking to work have increased by more than two-thirds since 2000, only 0.4% of workers biked to work in 2021.

THE PROBLEM—INCENTIVES TO DRIVE TO WORK BUT NOT TO COMMUTE BY BIKE

Despite these developments, there is no commuter tax benefit for biking to work—like we have for parking and transit. First enacted in 2009, the bicycle commuter benefit was a tax benefit that employers could offer to provide a reimbursement of up to \$20/month for expenses relating to bicycle commuting expenses. But if an employee elected to take advantage of the bicycle commuting reimbursement, they were not eligible to receive transit or parking commuter benefits. The Tax Cuts and Jobs Act (P.L. 115-97), suspended the bicycle commuting reimbursement benefit through 2025, taking away a valuable financial incentive for people who choose to bike to work.

THE SOLUTION—THE BICYCLE COMMUTER ACT OF 2023

With more employees choosing to bike to work, it is critical that Congress reinstates the bicycle commuter benefit and uses this opportunity to improve the benefit to reflect present-day commuting options. The Bicycle Commuter Act reverses the bicycle commuter benefit's suspension in Public Law 115-97 and changes the structure of the benefit by:

- 1) Making the benefit a pre-tax benefit, like parking and transit, rather than a reimbursement;
- 2) Allowing employees to receive a bicycle benefit of up to 30% of the parking benefit (currently equivalent to \$81/month, less than \$1,000/year, for bicycling);
- 3) Allowing the bicycle benefit to be used in concert with the transit and parking benefits;
- 4) Adding bikeshare and scootershare as eligible for the benefit and clarifying that electric bikes are eligible.

Endorsements: *American Society of Landscape Architects, Association for Commuter Transportation, Coalition for Smarter Transportation, Florida Bicycle Association, League of American Bicyclists, North American Bikeshare and Scootershare Association, PeopleForBikes, Rails to Trails Conservancy, Safe Routes Partnership, Sierra Club.*